

BETTER BUSINESS BUREAU

**RESPONSE TO WCS RESPONSE TO COMPLAINT
CASE #70044334**

May 27, 2008

The following is my response to Daniel R. Swetnam's response of May 16, 2008 that was on behalf of Worthington Christian Schools (WCS), an educational ministry of the Grace Brethren Church (GBC), to Better Business Bureau (BBB) Case #70044334.

My response to Mr. Swetnam's first paragraph follows:

I submit that there are no significant "errors" in the complaint because all statements in that complaint are backed by well documented and publicly available facts and, therefore, there are no "gratuitous libelous comments" in the complaint either.

The only discrepancy discovered in those facts is that The Columbus Dispatch newspaper reported that the admitted repeat child molester (Dwayne Smith) was rehired at WCS in 1998 but WCS indicates that he was rehired in August 1999. Therefore, the "10 years" time period (i.e. from 1998 up to and including 2007 equals 10) could be stated as "over 8 years" (i.e. from August 1999 to October 2007). However, WCS/GBC knew for nearly 11 years (November 1996 through October 2007) that the man was indeed a child molester who repeatedly molested a 13 year old victim. Other than that, there are no other known discrepancies in any of those facts.

It is possible that Mr. Swetnam has an issue with the following statement in the complaint:

"Those child molesters would still be employed at WCS today if the Columbus Dispatch newspaper had not learned of the truth and reported the facts to the unsuspecting WCS parents and students."

Because it is not clear exactly when the victim of Jason Crary (the accused child molester) decided to report Crary's crimes, there is a chance that Jason Crary might not *"still be employed at WCS today if the Columbus Dispatch newspaper had not learned of the truth and reported the facts to the unsuspecting WCS parents and students"* (i.e. the consumers) about Dwayne Smith's admitted repeated child molestations.

However, there is little doubt that Dwayne Smith *"would still be employed at WCS today if the Columbus Dispatch newspaper had not learned of the truth and reported the facts to the unsuspecting WCS parents and students"*. The only doubt being that if Jason Crary was aware that Dwayne Smith was also a child molester, Crary might have decided to finally reveal that crucial information during Crary's criminal court case which might have led Dwayne Smith to then resign.

Indeed, it is very likely that Jason Crary was aware that Dwayne Smith was also a child

molester because, after being caught deceiving the consumers about their children's safety, WCS claimed that:

"In addition, information about his past actions has been shared with a few staff members who worked closely with Mr. Smith, therefore broadening the circle of his accountability."

Also, some parents and students have recently stated that there was a "well known rumor" that Dwayne Smith had molested a child. Note too that it is very likely that Dwayne Smith was aware that Jason Crary was an accused child molester because Dwayne Smith's father Taylor Smith, the then WCS Superintendent and now Association of Christian Schools International (ACSI) Vice President of Executive Support, was fully aware that Jason Crary was an accused child molester. It is extremely troubling that it is very likely that these two child molesting men were aware that they were both child molesters because these two men were not just teachers and coaches, they were also "*directors of the youth camp*" "*for elementary-age children*" as reported by the Columbus Dispatch on Monday, October 22, 2007.

Therefore, a more accurate statement for the complaint that should satisfy Mr. Swetnam would be:

"Those child molesters would still be employed at WCS today if WCS was not caught committing these offenses against the unsuspecting consumers (i.e. the WCS parents and students)."

The complaint is indeed within the purview of the BBB because the complaint provides facts that prove WCS deceived the consumers (i.e. the paying parents) for many years about the safety of their children and defrauded those consumers using "Deceptive Sales Practices". The reputation of the students has also been damaged for having been educated at such a "Christian" school that knowingly put students at "risk" with multiple child molesters, thus tempted those child molesters to molest again, deceived the consumers about that danger, committed fraud in regard to that danger, covered up crucial facts to protect child molesters, and has been a bad influence on the Christian upbringing and education of those students.

I request that the BBB have Mr. Swetnam state exactly what he claims to be "errors", "gratuitous libelous comments", "inaccuracies", and "inflammatory rhetoric" in the complaint.

These facts prove that at the very least WCS/GBC is guilty of Child Endangerment against the WCS students, is guilty of Fraud (i.e. "Deceptive Sales Practices") against the paying consumers, and worked to Cover-Up those crucial facts. Evidence that each

of these offenses was indeed committed is given below using a single example of the applicable publicly available facts:

Child Endangerment:

Occurred for at least 8 years (1999-2007) with the admitted child molester Dwayne Smith and also occurred for at least 6 years (2002-2007) with the accused (later convicted on January 24, 2008) child molester Jason Crary. WCS/GBC officials acknowledged between one another that there was indeed a "risk" to the students as Executive Pastor Jim Augspurger said on a recording as reported by the Columbus Dispatch on Wednesday, October 17, 2007:

"We understand that if something happens between Dwayne and a student, we will be big-time liable," "That's a risk we take."

Fraud (i.e. "Deceptive Sales Practices"):

Occurred during the Child Endangerment described above. WCS/GBC used background checks and other means to deceive, confuse, and mislead the consumers about the safety of their children. While being fully aware that the students were indeed at "risk" with multiple child molesters, WCS/GBC made statements such as the following:

"His last background check, July 31, 2006 was spotless."

WCS/GBC intentionally misrepresented the truth as they withheld crucial information from the consumers. The consumers relied upon the statements made by WCS/GBC and WCS/GBC benefited monetarily from the consumers due to those fraudulent statements while the consumers were clearly given a false sense of security about their children's safety.

Cover-Up:

Occurred during the Child Endangerment and Fraud described above while WCS/GBC worked to withhold those facts from the consumers. Note that both child molesters would still be employed at WCS today if WCS/GBC were not caught endangering and deceiving the unsuspecting consumers during the "cover-up" as described in the audio recording at the Internet link below:

<http://members.aol.com/Tim026300/CoverUp.mp3>.

Additional proof that WCS/GBC is guilty of all of the above offenses will be their answer to the simple question below. Note that this question does not ask why the child

molesters were employed but asks why the consumers were never warned that their children were in direct contact with and being taught and coached by child molesters:

“Why were the consumers never informed that an admitted child molester and an accused (later convicted) child molester were teaching and coaching students and both were permitted to be the youth directors for elementary-age children at WCS during at least the last 8 and 6 years respectively?”

The answer to that question should be obvious. That is, because WCS/GBC knew that the consumers would immediately remove their children from the school, and stop paying money to WCS, if the consumers had known that their children were placed in direct contact, and thus danger, with child molesters.

Just in case the obvious answer above is not correct, I would like Mr. Swetnam to answer that simple question on behalf of WCS.

My response to item 1 in Mr. Swetnam's response follows:

All but the last sentence is true. As the evidence shows, WCS/GBC deceived the consumers for many years about the safety of our children and used "background checks" and other means to defraud the consumers by using "Deceptive Sales Practices".

My response to item 2 in Mr. Swetnam's response follows:

The complaint is not at all "inaccurate", contains no "errors" (other than the discrepancy noted above), and is not at all "one sided" because the well documented and publicly available facts are always referred to and, therefore, there are no "libelous remarks" in that complaint either. As I informed the BBB previously, the complaint can be modified to more accurately meet the requirements of the Better Business Bureau. For example, if it is not possible to request that those responsible be fired, the complaint can be modified to request a refund. Moreover, it is true that several WCS parents requested my assistance to help resolve this very serious matter effectively. However, if Mr. Swetnam has an issue with me speaking on behalf of any other WCS parents (i.e. consumers), I will simply encourage other consumers to file their own complaints as well to address this serious matter. They too may have to request a refund to meet the BBB requirements.

My response to item 3 in Mr. Swetnam's response follows:

The web page referred to simply presents the publicly available facts in a convenient format, is firm and honest about those facts, gives logical and effective solutions based on those facts, and raises valid concerns in regard to those facts. The web page encourages the deceived parents to resolve this serious matter effectively to ensure that current and future parents and students (i.e. consumers) will not be deceived and put in danger by these same people who committed those offenses (e.g. "Deceptive Sales Practices") against us all.

The pattern of conduct of those responsible at WCS and GBC makes it evident that the school and church are not seeking an effective solution to the real problems at WCS/GBC, but instead are attempting to protect those who are guilty of these offenses against the consumers, are still in control at WCS/GBC, and thus remain as a threat to many unsuspecting consumers. It is worthy to note that it has been estimated that WCS/GBC also spent over \$100,000.00 of the money that consumers paid WCS to educate their children to instead be used to conduct an investigation that was merely an attempt to protect those responsible for the offenses at WCS/GBC. Please refer to that web page in the section "Calculation For \$100,000.00 Approximation For Investigation" for details.

My response to item 4 in Mr. Swetnam's response follows:

WCS now claims to have adopted even more rules after they were caught endangering the students and deceiving the consumers for many years. Unfortunately, the same men, who simply ignored existing rules and even used "background checks" to deceive and mislead the consumers, remain employed at WCS and GBC and remain as a threat to many consumers.

Whatever Mr. Swetnam may claim, the fact remains that for many years the consumers were deceived about their children's safety at WCS as WCS/GBC employed "Deceptive Sales Practices" (i.e. committed fraud) against those paying consumers who entrusted their children with WCS who knowingly put the children at "risk" with multiple child molesters. The reputation of the students has also been damaged for having been educated at such a "Christian" school that knowingly put students at "risk" with multiple child molesters, thus tempted those child molesters to molest again, deceived the consumers about that danger, committed fraud in regard to that danger, covered up crucial facts to protect child molesters, and has been a bad influence on the Christian upbringing and education of those students.

I request that this very serious and valid complaint be pursued by the BBB to protect consumers and their children.

The BBB slogan states that we must "**Start With Trust**".

Those responsible at WCS have continuously demonstrated for a decade that they cannot be trusted and they remain in control at WCS/GBC and thus remain as a threat to many unsuspecting consumers.

Thank you for your time and efforts in this serious matter,
Tim Ball